

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 9090

Daichang YANG

Group Art Unit: 1638

Application No.: 10/584,225

Examiner: Cathy Kingdon Worley

Filed: July 13, 2007

Attorney Dkt. No.: 023231-00033

For: METHODS OF EXPRESSING HETEROLOGOUS PROTEIN IN PLANT SEEDS
USING MONOCOT NON SEED-STORAGE PROTEIN PROMOTERS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: June 3, 2008

Sir:

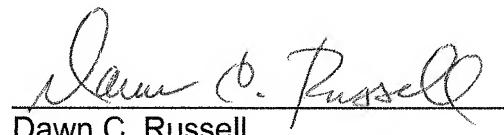
In response to the Restriction Requirement dated February 4, 2008, the period for response being extended to June 4, 2008 by payment of appropriate Extension of Time fees, Applicant hereby elects **Group I, Claim 10**, drawn to a method of producing seeds that accumulate a heterologous protein, said method using a promoter from the wheat purindoline b protein gene. Claims 1-9 and 11 link the inventions of Groups I-III, and claims 1-11 encompass the elected invention. This election is made **with traverse**.

Traversal of the restriction requirement is on the grounds that the burden on the Patent Office to examine all groups of claims together is less than the burden on Applicants to prosecute the groups of claims separately.

This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants reserve the right to file one or more divisional applications directed to the non-elected subject matter.

In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of time. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment associated with this communication to our Deposit Account No. 01-2300 referencing docket number **023231-00033**.

Respectfully submitted,



Dawn C. Russell
Dawn C. Russell
Attorney for Applicant
Registration No. 44,751

Customer No. 004372
AREN'T FOX LLP
1050 Connecticut Avenue, N.W.,
Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810